

Serial No. 10/527,579  
Amdt. dated June 12, 2008  
Reply to Office Action of March 19, 2008

**RECEIVED** PATENT  
Docket PD020089  
CENTRAL FAX CENTER Customer No. 24498

**REMARKS JUN 12 2008**

The present application now contains claims 15-29, which were previously pending, and newly added claims 32-34. Claims 15-29 have been amended to better point out and claim applicant's invention and to better distinguish applicant's invention from the prior art. Ample antecedent basis exists in the specification and drawings for the amendments.

Before proceeding to address the examiner's rejections, applicant will briefly summarize his invention to assist the examiner in better appreciating the differences applicant's invention and the art of record. As recited in amended claim 15, applicant provides an apparatus for correcting color video signals that includes a matrix for processing color video signals to control the proportions of three primary colors in color value signals. The matrix comprises nine multipliers and three adders, wherein three of the nine multipliers are connected to one adder, respectively. A first controller controls the matrix as a function of the hue the color video signals. A second controller controls the matrix as a function of color saturation. The combination of the matrix and the two controllers affords precise color control which is particularly important in connection with the scanning of film.

### **35 U.S.C. 112 Rejection of Claims 15-31**

Claims 15-31 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and claim applicant's invention. In particular, the examiner contends that the claims are narrative, indefinite and generally fail to comply with US practice.

Applicant has amended claims 15-29 to eliminate grammatical and idiomatic errors. Claims 30 and 31 have been canceled. As amended claims 15-29 conform to US practice and now fully comply with 35 U.S.C. 112. Applicants request withdrawal of the 35 U.S.C. 112 of claims 15-29.

Serial No. 10/527,579  
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PATENT  
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Customer No. 24498

### **35 U.S.C. 101 Rejection of Claim 28**

Claim 28 stands rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. In particular, the examiner has rejected claim 28 for failing to recite a program that is recorded on a computer readable medium.

Applicant has amended claim 28 to recite a program on a computer readable medium. As now amended, claim 28 recites statutory subject matter. Accordingly, applicant requests withdrawal of the 35 U.S.C. 101 rejection of claim 28.

### **35 U.S.C. 102(b) Rejection of Claims 15-19, 22 and 23**

Claims 15-19, 22 and 23 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5,668,596 in the name of Richard Vogel. The examiner contends that the Vogel patent teaches the use of a matrix for correcting color video signals by controlling the proportion of three primary colors (RGB). Further, the examiner contends that the Vogel patent teaches controlling the matrix dependent on the hue of the color signals to reduce correction in the event of low saturation.

Applicant has amended claim 15 to recite an apparatus for correcting color video signals comprising a matrix for performing color corrections. The apparatus performs color correction as a function of hue as well as a function of color saturation. Applicant's amended claim 15 now incorporates the features previously recited in claim 20. Thus, claim 15 now recites that the matrix comprises nine multipliers and three adders wherein three of the nine multipliers are connected to one adder, respectively. With regard to the rejection of claim 20 discussed hereinafter, the Examiner concedes that the Vogel patent does not teach the subject matter of claim 20. In particular, the Vogel reference does not disclose or suggest color correction as a function of color saturation, nor does Vogel teach a matrix comprised of nine multipliers and three adders.

Given that the Vogel patent does not teach the subject matter previously recited in claim 20 and now incorporated in amended claim 15, the Vogel patent does not anticipate claim 15. Therefore claim 15 is patentable under 35 U.S.C. 102(b) and applicants request withdrawal of that rejection.

Claims 16-19, 22 and 23 ultimately depend from claim 15 and incorporate by reference all of the limitations of their patent claim. Therefore, claims 16-19, 22 and

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Docket PD020089  
Customer No. 24498

23 patentably distinguish over the Vogel patent for the same reasons as claim 15. For that reason, applicant requests withdrawal of the 35 U.S.C. 102(b) rejection of these claims.

### **35 U.S.C. 103(a) Rejection of Claims 20, 21 and 24-27**

Claims 20, 21 and 24-27 stand rejected under 35 U.S.C. 103(a) as obvious over the Vogel patent discussed above, further in view of US Patent Application Publication 2002/0110376, published 15 August 2002, in the name of Steven D. MacLean et al.

With regard to claims 20 and 21, the examiner contends that Vogel does not teach a color saturation signal supplied via multipliers to the matrix. To overcome that deficiency, the examiner contends that the MacLean et al. publication provides a color saturation signal connected to a set of multipliers in the supply lines of the correction matrix.

As for claims 24 and 25, the examiner contends that Vogel teaches that the color signals are present as color value signals and the converter comprises a converter matrix for generating color difference signals and a coordinate converter.

Concerning claims 26 and 27, the examiner acknowledges that Vogel does not expressly teach a color saturation signal connected to multipliers in the supply lines of the correction values to the matrix. To overcome that deficiency, the examiner contends that the MacLean et al. publication teaches that the matrix comprises nine multipliers and three adders. Further, examiner contends that the MacLean et al. publication teaches that three color video signals are fed as color value signals and that a correction value/coefficient can be fed to further multipliers from one of the memories.

Applicant respectfully traverses the rejection of claims 20, 21 and 24-27. In rejecting applicant's claims 20-21, the examiner contends that the multipliers 1512, 1514, and 1516, of FIG. 15 of McLean et al. constitute the multipliers in the supply lines to the correction matrix. Assuming arguendo that examiner is correct in her characterization of the MacLean et al. publication regarding the multipliers 1512, 1514, and 1516, of FIG. 15, the examiner has not shown that either Vogel or MacLean possesses a **correction matrix that itself includes nine multipliers as now recited in applicant's claim 15, and incorporated by reference in claims 20,**

Serial No. 10/527,579  
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PATENT  
Docket PD020089  
Customer No. 24498

**21 and 24-27.** Since neither Vogel nor MacLean et al. nor their combination show each and every feature of claims 20-21, these claims patentably distinguish over the art of record. Applicant request withdrawal of the 35 U.S.C. 103(a) rejection of claims 20, 21 and 24-27.

With specific regard to claims 26 and 27, applicant disagrees with the examiner's characterization of the MacLean et al. publication as teaching a color correction matrix as having nine multipliers (i.e., the multipliers 1512, 1514 and 1516). Indeed, the examiner's characterization of the MacLean et al. publication in this regard is **contrary to the examiner's characterization of MacLean et al. as having multipliers in the supply lines to the matrix for the purpose of rejecting claims 20 and 21.** The examiner cannot characterize the MacLean et al. publication in opposite ways simply to suit different purposes. Indeed, the language at paragraph [0100] of MacLean et al. describing the use the multipliers 1512, 1514 and 1516 to manipulate the input data for color conversion clearly comports with the examiner's initial characterization of these multipliers as lying in the supply lines to the matrix. Thus, like the Vogel patent, the MacLean et al. publication fails to teach or suggest a matrix having nine multipliers and three adders as recited in applicant's claim 15, and incorporated by reference in claims 20, 21 and 24-27.

### **35 U.S.C. 103(a) Rejection of Claim 29**

Claim 29 stands rejected under 35 U.S.C. 103(a) as obvious over the Vogel patent, in view of US patent 5,596,427 in the name of Toshio Honma et al. In rejecting claim 29, the examiner contends that the Vogel patent teaches the subject matter of claim 15, but fails to teach the manual setting of correction values as recited in claim 29. The examiner relies on the Honma et al. for that teaching

Claim 29 ultimately depends from claim 15 and incorporates by reference all of the features thereof. As discussed above with respect to the 35 U.S.C. 102(b) rejection of claim 15, the Vogel reference does not disclose or suggest color correction as a function of color saturation, nor does Vogel teach a color correction matrix comprised of nine multipliers and three adders. The Honma et al. patent likewise does not show a matrix comprised of nine multipliers and three adders. Therefore, the combination of the Vogel and Honma et al. would not teach all of the features of claim 15. Likewise the combination of these references does not show all

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of the features of claim 29 that depends from claim 15. Therefore, claim 29 patentably distinguishes over the art of record and applicant requests withdrawal of the 35 U.S.C. 103(a) rejection of that claim.

### **35 U.S.C. 103(a) Rejection of Claim 32**

Claim 32 stands rejected under 35 U.S.C. 103(a) as obvious over the Vogel patent, in view of US patent 6,433,898 in the name of Gunter Bestmann. In rejecting claim 32, the examiner contends that the Vogel patent teaches the subject matter of claim 15, but fails to teach the use of logarithmizers connected upstream of the matrix and delogarithmizers connected downstream of the matrix. The examiner relies on the Bestmann patent for that teaching.

Claim 32 ultimately depends from claim 15 and incorporates by reference all of the features thereof. As discussed above with respect to the 35 U.S.C. 102(b) rejection of claim 15, the Vogel reference does not disclose or suggest color correction as a function of color saturation, nor does Vogel teach a matrix comprised of nine multipliers and three adders. The Bestmann patent likewise does not show a matrix comprised of nine multipliers and three adders. Therefore, the combination of the Vogel and Bestmann would not teach all of the features of claim 15, or all of the features of claim 32 that depends therefrom. Therefore, claim 32 patentably distinguishes over the art of record and applicant requests withdrawal of the 35 U.S.C. 103(a) rejection of that claim.

### **Allowability of Newly Claims 33 and 34**

Newly submitted claims 33 and 34 ultimately depend on claim 15 and incorporate by reference all of the features thereof. Claims 33 and 34 are patentable over the art of record for the reasons discussed above for claim 15.

### **Conclusion**

In view of the foregoing amendments to the claims and the accompany remarks, applicants solicit entry of this amendment and allowance of the claims. If, however, the Examiner believes such action cannot be taken, the Examiner is invited

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Customer No. 24498

to contact the applicant's attorney at (609) 734-6820, so that a mutually convenient date and time for a telephonic interview may be scheduled.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,  
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